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PTO/SB/64 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED Docket Number (Optional) 04970/000J035-US0 **UNINTENTIONALLY UNDER 37 CFR 1.137(b)** First named inventor: Foji Fujiyama Application No: 09/821,434-Conf. #1759 Art Unit: 2655 Filed: Examiner: G. Patel March 29, 2001 Title: CONTROL APPARATUS FOR OPTICAL PICKUP AND OPTICAL DISC APPARATUS MS Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items: (1) Petition fee: (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 1. Petition fee Small entity – fee \$ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m)) 용 2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in 3/13/2005 SMINASS1 00000018 09821434 the form of an Amendment (identify type of reply): has been filed previously on is enclosed herewith. B. The issue fee of and publication fee (if required) \$ _____ . has been paid previously on _____ . is enclosed herewith. Page 1 of 2

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Terminal disclaime	er with disclaimer fee		
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.			
or \$	al disclaimer (and disclaimer fee (37 CFR 1.20(d) for other than a small entity) died herewith (see PTO/SB/63).)) of \$ for a sma isclaiming the required period of tim	-
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].			
Oh	Signature	May 10, 2005	<u>-</u>
<u></u>	Chris Kolefas	35,226	
	Typed or printed name	Registration Number, if applica	ible
DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7700			
Address Telephone Number			 ,
Enclosures: X F	ee Payment		
X R	eply		•
Terminal Disclaimer Form			
Additional sheets containing statements establishing unintentional delay			
o	ther:		_
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